

§ 21.8

30 CFR Ch. I (7–1–98 Edition)

§ 21.8 How approvals are granted.

(a) All approvals are granted by official letter from MSHA. A lamp will be approved under this part only when the testing engineers judge that the lamp has met the requirements of the schedule and MSHA's records concerning the lamp are complete, including drawings from the manufacturer that show the lamp as it is to be made commercially. No verbal reports of MSHA's decisions concerning the investigation will be given, and no informal approvals will be granted.

(b) As soon as the manufacturer has received the formal approval he shall be free to advertise his lamp as permissible.

[Sched. 7C, Aug. 30, 1935, as amended by Supp. 1, 20 FR 2961, May 3, 1955]

§ 21.9 Approval plate.

The manufacturer shall attach, stamp, or mold an approval plate on each permissible lamp. The plate shall bear the emblem of the Mining Enforcement and Safety Administration, and be inscribed as follows: "Permissible Flame Safety Lamp. Approval No. _____ issued to the _____ Company." When deemed necessary, an appropriate caution statement shall be added. The size and position of the approval plate shall be satisfactory to MSHA.

(a) *Purpose of approval plate.* The approval plate is a label which identifies the lamp so that anyone can tell at a glance whether the lamp is or is not of the permissible type. By it the manufacturer can point out that his lamp complies with specifications of MSHA and that it has been adjudged safe for use in gassy mines.

(b) *Use of approval plate.* Permission to place MSHA's approval plate on his lamp obligates the manufacturer to maintain the quality of his product and to see that each lamp is constructed according to the drawings which have been accepted by MSHA for this lamp and which are in MSHA's files. Lamps exhibiting changes in design which have not been approved are not permissible lamps and must not bear MSHA's approval plate.

(c) *Withdrawal of approval.* MSHA reserves the right to rescind for cause at

any time any approval granted under this schedule.

[Sched. 7C, Aug. 30, 1935, as amended at 43 FR 12314, Mar. 24, 1978]

§ 21.10 Instructions for handling future changes in lamp design.

All approvals are granted with the understanding that the manufacturer will make his lamp according to the drawings which he has submitted to MSHA and which have been considered and included in the approval. Therefore, when he desires to make any change in the design of the lamp, he should first of all obtain MSHA's approval of the change. The procedure is as follows:

(a) The manufacturer shall write to Approval and Certification Center, Box 201B, Industrial Park Road, Dallas Pike, Triadelphia, W. Va. 26059 requesting an extension of his original approval and stating the change or changes desired. With this letter he should submit a revised drawing or drawings showing the changes in detail and one of each of the changed lamp parts.

(b) MSHA will consider the application and inspect the drawings and parts to determine whether it will be necessary to make any tests.

(c) If no tests are necessary the applicant will be advised of the approval or disapproval of the change through the Administrator's office.

(d) If tests are judged necessary the applicant will be advised of the material that will be required.

[Sched. 7C, Aug. 30, 1935, as amended by Supp. 1, 20 FR 2961, May 3, 1955; 43 FR 12314, Mar. 24, 1978; 52 FR 17514, May 8, 1987]

PART 22—PORTABLE METHANE DETECTORS

Sec.

22.0 Compliance with the requirements necessary for obtaining approval.

22.1 Purpose.

22.2 Definitions.

22.3 [Reserved]

22.4 Applications.

22.5 Conditions governing investigations.

22.6 General requirements.

22.7 Specific requirements.

22.8 Material required for MSHA records.

22.9 How approvals are granted.

22.10 Approval plate.